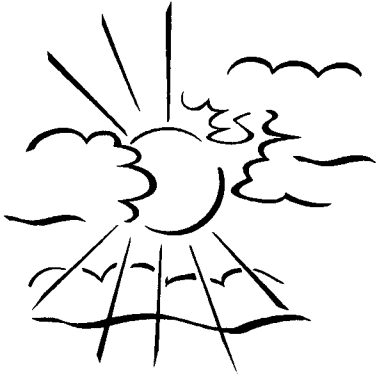


***Department
of
Human
Services***

Prepared by the
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(517) 373-7394



*Important story at this spot

Articles in Today's Clips

Tuesday, August 16, 2005

(Be sure to maximize your screen to read your clips)

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Law Cutting Adoption Payments Is Faulted

By ERIK ECKHOLM

The New York Times

Published: August 16, 2005

Charging that adoptions of vulnerable children will be discouraged, advocates for parents' and children's rights went to federal court in Missouri yesterday, seeking to block a new state law that limits financial aid for some parents who adopt foster children.

The law, part of a broader effort by Gov. Matt Blunt to balance the budget, ends subsidies for parents of some former foster children if they earn more than 250 percent of the federal poverty level. It will also require the parents who still qualify for the money - usually \$225 a month per child or \$651 for children with severe disabilities that demand costly therapy - to apply for renewal each year. They now get the subsidies automatically.

By creating uncertainty and denying aid to some, the critics say, the policies will discourage adoptions of some of society's forsaken children.

"What they are doing is illegal and irrational," said Ira P. Lustbader, a lawyer with Children's Rights, a group based in New York that has joined the Missouri case. "It's going to be far more costly to keep more kids in foster care for a longer time."

The law is to take effect Aug. 28, but in a motion filed yesterday in Federal District Court in Kansas City, the advocates called for a temporary restraining order to block it.

They argue that federal law prohibits states from unilaterally terminating adoption subsidies, and that the new state law breaches contracts already signed by adoptive parents.

Governor Blunt, a Republican, and his supporters say they are trying to focus limited money on the neediest families. "The governor believes in the adoption subsidies program, but it was growing unchecked," said the governor's spokeswoman, Jessica Robinson, in a telephone interview. "With a generous means test, the program will be able to continue in the future."

The governor's office said it had not seen the advocates' lawsuit and so could not respond to legal issues.

By the legislature's calculations, the changes will yield a net savings of \$12 million a year from an adoption subsidy budget that this year totaled \$60 million, including \$18 million in federal financing.

Almost always victims of neglect or abuse, foster children who are up for adoption often have learning and behavioral problems. In programs partly paid for by the federal government, every state offers aid to adoptive parents to help cover needs like therapy, tutoring and child care.

The policies seem to have been a success in increasing adoptions. Nationwide, adoptions from foster care rose dramatically in the late 1990's, from 28,000 in 1996 to 50,000 in 2000, then remained at that level through 2003, the last year for which data are available. In Missouri, adoptions from foster care rose from 521 in 1995 to a recent annual average of about 1,300. Critics of Missouri's new law say it could reverse the state's gains. Missouri has about 11,000 children in foster care. The state intends eventually to reunite many of them with their biological parents, but in about 2,000 cases, it has decided that adoption is the best course.

About 12,000 former foster children in the state benefit from adoption subsidies, under agreements that had formerly guaranteed the benefits to age 18.

Under federal law, the state can impose the income limits on the families of only about one-third of the adopted children, creating what critics say are arbitrary inequalities as well as hardships for middle class parents. The rest of the children come from biological parents who are impoverished, putting them in a category under federal law that prohibits such testing.

At this year's income cutoff level - \$32,075 for a family of two, for example, and \$56,525 for a family of five - subsidies will end for at least 1,300 children, said John J. Ammann, director of the legal clinic at St. Louis University and a partner in yesterday's court motion.

Stephanie Rubach of St. Peters, Mo., expected to keep receiving \$675 a month for her three adopted children, who came with histories that included physical abuse, fetal alcohol syndrome and maternal crack addiction.

But she and her husband earn \$60,000 to \$70,000 a year. Under the new rules they will receive only \$225.

"This is disheartening," she said, adding that "we'll get by, but we're already struggling."

While eight other states have long had means testing for some recipients of adoption subsidies, Missouri appears to be the first to apply it retroactively to parents who have received aid for years, said Jeanette Wiedemeier Bower, a policy analyst with the North American Council on Adoptable Children in St. Paul.

Dozens of states modestly curbed adoption spending in recent years by narrowing the definition of special needs or cutting one-time payments at the time of adoption, Ms. Wiedemeier Bower said.

'It wasn't his fault': Grandmother of boy who shot sister says she warned of gun in house

Tuesday, August 16, 2005

By Ken Kolker
The Grand Rapids Press

GRAND RAPIDS -- A woman whose grandson accidentally shot his 4-year-old sister Sunday, leaving her with a badly injured leg and arm, said she warned their mother months ago against having a gun in a house with children.

"I knew that gun was in that house; she told me that a couple months ago," said the children's maternal grandmother, Susan Switzer, of Wyoming.

"You can't keep a loaded gun ... because of the kids."

A preliminary neglect hearing was scheduled today in Kent County Circuit Court to determine what action, if any, should be taken with the children.

Steven Pagan, 6, accidentally shot his sister, Shania, in their bedroom in the apartment at 729 Fifth St. NW, Grand Rapids police said. Their mother, Susana Pagan, 26, was home at the time, police said. No charges were filed.

The bullet entered the girl's upper leg and lodged in an arm, Switzer said. She remained in fair condition today at DeVos Children's Hospital.

Police said they asked the federal Bureau of Alcohol, Tobacco and Firearms to trace the weapon. They would not say who owned the gun.

Grand Rapids Police Sgt. Chris Postma said officers arrested the mother's 20-year-old boyfriend after he became irate at the hospital. He was released from jail without being charged. Police said he was not home at the time of the shooting.

Steven, who was a kindergartener last year at Brookwood Elementary School in Kentwood, is staying with Switzer, who has not asked him about the shooting.

"I don't know if it's right to bring it up," Switzer said. "We just reassured him it wasn't his fault."

CONTINUED

'It wasn't his fault': Grandmother of boy who shot sister says she warned of gun in house

Page 2 of 2

Since the shooting, "Stevie" always looks like he is ready to cry, she said. His eyes well with tears. When he saw his sister in the hospital Monday, "it was a crying session," she said. "He's real protective over his little sister. Ever since he was little, he was real protective, making sure she didn't get too far behind, doing her car seat for her. He's a good little boy. This should never have happened."

The children's mother has had trouble with the law since she was 16, court records show. She was pregnant at age 16 with the first of her three children when she was charged in a gang-related kidnapping and attempted murder.

She and two men, including her boyfriend at the time, Leon Thomas, were accused of holding a teenager against his will and torturing him with boiling water, a heated fork, an electrical cord and a shoe heel on Grand Rapids' West Side. They tortured him after he said he wanted to leave the gang and a life of drug-dealing.

Court records show she was an "active participant" in the torture, which left the victim with scars requiring plastic surgery.

Susana Pagan had her first child while in jail. She was shackled to the hospital bed when relatives visited her and the baby. She later was sentenced as an adult to two to 10 years in prison after pleading to assault less than murder. Her first child, now 9, has lived with Switzer most of her life, according to court records.

The younger children, Steven and Shania, have a different father -- Anthony Ashley, of Muskegon Heights, who works in Grand Rapids, records show. Ashley's mother, Betty Ashley, this morning said her son would "fight for custody."

Ashley was at the hospital with his daughter and was expected to appear at today's hearing. Shania likely will require months of surgery, police said. The bullet broke a bone in her leg and damaged a tendon in her arm, Switzer said. "They wanted to see if she could wiggle her fingers under her cast."

At the hospital, between morphine drips, Shania asked if she could watch a Care Bear movie, her grandmother said.

"She's a tiny little thing, real tiny, petite," Switzer said. "She's a little doll. She's so sweet."

4-year-old shot by her brother, 6, faces long recovery

Monday, August 15, 2005

By Ken Kolker
The Grand Rapids Press

GRAND RAPIDS -- A 4-year-old girl accidentally shot by her 6-year-old brother underwent surgery overnight and likely will need more operations to recover, police said today. Shania Pagan was in fair condition today at Spectrum Health's DeVos Children's Hospital after she was shot once in the upper leg.

"She's going to be hospitalized quite a while," Grand Rapids Police Sgt. Chris Postma said. She and her brother, Steven Pagan, were playing in an upstairs bedroom in their West Side apartment Sunday when he shot her with a handgun, Postma said.

"Right now it appears to be a very tragic accident," he said.

Detectives were trying to determine whose gun it was and why it was left in a place where a child could reach it, Postma said.

"We still have to find some answers," Postma said. "It was obviously in a room where children had access to it."

The children were home with their mother, Susana Pagan, 26, just before 5:30 p.m. when the shot was fired. Police were trying to determine where in the house the mother was when the shooting took place.

"We still have questions about where (she was) and how things took place," Postma said.

Shania left a trail of blood down the steps of the upstairs apartment at 729 Fifth St. NW. She was taken to the hospital by AMR ambulance.

Police later arrested the mother's boyfriend on an unrelated charge. He was not home at the time of the shooting, Postma said.

Detectives interviewed the boy, who knew he had done something wrong, Postma said.

"Obviously, there was the realization something bad happened, and he has responsibility in that," he said.

He wouldn't say whether the boy had mistaken the gun for a toy.

"Toy or not, you can't leave guns lying around, regardless of if you think they're safe. If you think a gun is there to protect you, chances are greater they're going to harm somebody in your family."

The mother and her children moved into the home about three weeks ago, a neighbor said.

Baby who died in car had body temperature of 107

Tuesday, August 16, 2005

By John S. Hausman
Grand Rapids Press News Service

HART -- Nearly an hour after his lifeless body was taken from a hot car, 3-month-old Michael McClure's temperature registered 107 degrees, medical records showed.

Emergency room records and testimony from medical workers were offered in 78th District Court on Monday at the preliminary examination for the baby's 18-year-old mother, Sabrina McClure, who is charged with involuntary manslaughter and second-degree child abuse in her son's death.

District Judge H. Kevin Drake ordered McClure to stand trial on both charges. If convicted, the Hart native faces up to 15 years in prison. The judge cited the high body temperature and an emergency-room nurse's testimony that the infant's diaper was completely wet, as "very telling." Michael McClure died June 20 after being left in a Pontiac Grand Prix for more than seven hours as temperatures climbed from 48 degrees to the mid-70s. The baby's relatives said his mother was trying to keep the child safe and warm while she slept in a nearby tent.

Relatives said Sabrina McClure tucked her napping infant under a blanket inside the car to protect him from the cold as she and friends camped in a tent on a family farm in Weare Township. The group was baling hay and went to bed about 5:30 a.m. after sitting around a campfire along North 88th Avenue. She told police the car window nearest the infant was open about 2 inches.

McClure told police she checked the baby "once or twice" in the hours following, the last time was 2 1/2 hours before a friend found him dead about 1 p.m. An autopsy showed he died of hyperthermia, a high body temperature.

Oceana County Sheriff's Deputy Shane Hasty testified McClure told conflicting stories about whether anyone checked the baby while she slept -- saying friends definitely had, then later saying she was not positive.

"The baby died a very horrible death," Prosecutor Terry Shaw said.

Defense attorney James Rose called it a tragic accident, and added there was no evidence drinking or drug use was involved.

After Drake's ruling, the baby's father and Sabrina McClure's husband, Christopher McClure, blasted the prosecution and the judge's decision to bind her over for trial.

"What I'm feeling right now is total disgust, total hatred," Christopher McClure told reporters outside court. "They know people do it every day. ... There's people who leave their kids in a hot car every day. It just happens that after an exhausting day ... she fell asleep."

Sabrina McClure remained free on bond.

Trial set in death of baby

Tuesday, August 16, 2005

DARRYL Q. TUCKER
THE SAGINAW NEWS

A Saginaw day-care operator likely will stand trial in November on charges she caused the death of a baby in her care.

Lakesha Mims, 28, of 1915 Joslin faces charges in Saginaw County Circuit Court on first-degree felony murder and first-degree child abuse in the Dec. 29 death of 6-month-old Derrius Cooper. During her Monday video arraignment, Mims pleaded innocent before Circuit Judge Robert L. Kaczmarek, who will preside over the trial.

Mims, a mother of two, is in jail without bond. A conviction could lead to a sentence of up to life in prison without the possibility of parole.

Mims took the baby to the St. Mary's of Michigan Ambulatory Care Center on Towne Centre near Tittabawassee. Paramedics transferred him to Covenant Medical Center, where he died.

The blow to the baby's head was so severe that Dr. Kanu Virani, Saginaw County medical examiner, dismissed two theories of how the boy died: The infant neither fell off a couch nor hit himself in the head with a plastic rattle, as Mims told authorities.

Darryl Q. Tucker covers courts for The Saginaw News. You may reach him at 776-9686.

Officer chose death over prosecution

Tuesday, August 16, 2005

rhall@kalamazoogazette.com 388-7784

Facing felony charges stemming from alleged sexual activity with two girls, Kalamazoo Department of Public Safety officer Matthew Hallman was to be placed on administrative leave last Friday during a meeting with Chief Dan Weston.

But he never arrived for the 11 a.m. meeting. Nearly two hours later, Hallman, 40, of Portage, was found dead of a self-inflicted gunshot wound in the locker room of the department's Bryant Street station.

Weston said he had called the meeting with Hallman, Maj. Ken Colby and a Kalamazoo Public Safety Officers Association representative after learning the day before from Portage Police Department Chief Richard White that a warrant was to be issued for Hallman's arrest following a nine-month investigation.

"He would have been placed on administrative leave and his police authority would have been removed and an internal investigation would have been conducted," Weston said.

Weston said Hallman told department officials in October that a female was accusing him of inappropriate touching. Public-safety officials contacted Portage investigators in October about the incidents, which were alleged to have occurred in that city, he said.

Weston said public-safety officials never contacted Portage authorities about the case again and that he wasn't notified further about the matter until Thursday, when White told him about the warrant. Hallman was making arrangements through an attorney to turn himself in to Portage police, Weston said he was told by White.

"I don't have an issue with leaving the matter in the hands of Portage to investigate, with the agreement that if and when anything became of that investigation, they would notify us," Weston said.

Both White and Weston said their departments do not have policies that outline when a respective department is to be notified in cases involving alleged criminal activity by an employee.

White said his department began investigating Hallman in October after allegations were made against him by one of two victims. White said he did not know if detectives began investigating the claims before or after they were contacted by Kalamazoo public-safety officials.

The charges against Hallman stemmed from alleged incidents between May 2003 and last October, according to the arrest warrant.

The warrant, issued Thursday by the Calhoun County Prosecutor's Office, charged Hallman with four counts of first-degree criminal sexual conduct, one count of criminal sexual conduct involving a person under the age of 13, one count of third-degree criminal sexual conduct and one count of accosting children for immoral purposes.

At a Kalamazoo City Commission meeting Monday night, commissioners held a moment of silence for Hallman and Mayor Robert Jones extended condolences to the officer's family on behalf of the city.

"It's a very unfortunate situation, and my heart goes out to them," Jones said.

Weston said visitation for Hallman is scheduled for 2 to 4 p.m. and 6 to 8 p.m. Wednesday at Langeland Family Funeral Homes, 411 E. Centre Ave. Hallman's funeral is scheduled for 12:30 p.m. Thursday at Prince of Peace Lutheran Church, 1747 W. Milham Road. Burial with full military honors will follow at Fort Custer National Cemetery

BV teacher has hearing in sex case

Tuesday, August 16, 2005

DARRYL Q. TUCKER
THE SAGINAW NEWS

A Buena Vista School District band instructor has pleaded innocent to having sexual contact with six of her Ricker Middle School students.

Laura L. Findlay entered the plea Monday during a Saginaw County Circuit Court video arraignment before Circuit Judge Robert L. Kaczmarek.

She faces multiple charges of criminal sexual conduct with boys at the school and at other locations in the county.

Court officials said there is no trial date, but the proceedings could start in October.

Six eighth-grade students -- 14 and 15 -- testified during preliminary hearings that Findlay engaged in oral sex with them and gave them lap dances. The incidents occurred in the band room or in her sport utility vehicle behind Fort Saginaw Mall at Holland and Outer Drive, said the victims, who also were band members.

Findlay, 31, who is in jail on a \$500,000 cash or surety bond, faces 22 counts of first-degree criminal sexual conduct with a person younger than 16.

Darryl Q. Tucker covers courts for The Saginaw News. You may reach him at 776-9686.

Man arrested on child-porn charges

Tuesday, August 16, 2005

rhall@kalamazoogazette.com 388-7784

A Kalamazoo man was arrested Saturday by South Haven police on a warrant stemming from child-pornography charges, authorities said.

Shawn Michael Vescoso, 32, was to be arraigned in Kalamazoo County District Court today on six counts of distributing or promoting child sexually abusive activity, seven counts of possession of child sexually abusive material and two counts of using a computer to commit a crime, according to the State Attorney General's Office.

South Haven officers arrested Vescoso during the city's 42nd Annual Blueberry Festival, authorities said.

Tuesday, August 16, 2005
Wayne Briefs
Detroit News staff reports and wire services

Livonia

Evidence reviewed in sex abuse case

Police officers are examining evidence from a 28-year-old Westland man's home after he was arrested for soliciting sex from someone he thought was a 14-year-old girl. Officers from the Michigan Internet Crimes Against Children Task Force and Livonia Police arrested Robert Leroy Brent on Wednesday at a Livonia park after he showed up for what police say was a pre-arranged sexual encounter. Brent had contacted a detective from the Livonia Police Department who was posing as a girl in an online chat room. He was arraigned Thursday on charges of child sexually abusive activity and using a computer to communicate with another to commit a crime. He could face up to 20 years in prison for each of the two felony counts and more than \$100,000 in fines.

Traverse City Record-Eagle

August 14, 2005

Convicted felon slips through hole in system

CHARLEVOIX - A hole exists and needs to be filled in a system that allowed a convicted felon to hold an administrative position with the Charlevoix-Emmet Intermediate School District, Charlevoix County's sheriff said.

Sheriff George T. Lasater and county prosecutor John Jarema want state Rep. Kevin Elsenheimer, R-Bellaire, and Sen. Jason Allen, R-Traverse City, to introduce legislation that would mandate criminal background checks that include a state and federal review of fingerprints for all employees and volunteers who work with children.

Their request comes after the July 31 arrest of Arthur Kirk, 70, of Charlevoix Township, on felony weapons charges. The school district contracted with Kirk as an AmeriCorps volunteer in 2001, unaware he had a lengthy felony criminal history under the name Arthur Kirkeby.

He served more than five years in prison after being convicted in 1981 of first-degree criminal sexual conduct involving an 8-year-old boy in Macomb County.

Kirk's criminal past was revealed during a fingerprint check as he applied for a concealed weapons permit, Lasater said.

Kirk faces felony charges of purchase and possession of firearms by a felon, false statements on a concealed weapons permit application and habitual offender - fourth offense. The habitual offender charge increases the potential maximum penalty to life in prison.

Letters

The Grand Rapids Press

Tuesday, August 16, 2005

Hold bus drivers accountable

Regarding Tammi Van Til's letter, "Don't blame bus drivers" (Pulse, Aug. 11): Three- and 4-year-old children -- special needs or not -- ride buses. These younger children should not be discriminated against when it comes to riding the bus just because they're 3- or 4-year-olds.

None of this is their fault. The bus drivers left these children alone for hours on the bus. There was one child who was 5 years old and autistic and went to Kent Immediate School District, and the bus driver left him alone on the bus for hours. No child deserves this. On the way to school, 3- and 4-year-old children and older children know to stay seated and follow directions on the bus.

After the bus stopped, the bus driver left the bus and left the child alone. What these bus drivers did is called child endangerment, child abuse and child neglect and there's no excuse for their actions.

These bus drivers should be prosecuted for what they did. They should not be defended by people like Ms. Van Til. We have four children ages 14, 12, 9 and 6 and our child who's 9 is autistic. If anybody endangered, abused and neglected our children, they would wish they never did.

The bus drivers need to be prosecuted. These children were traumatized because of what happened. It's not the children's fault. It's the bus driver's fault, and Tammi Van Til is no better than all these bus drivers because she's defending their actions!

DAVID and BONNIE THORSON
Morley

Editorials & Letters

Young victims

Stronger families must be goal of any anti-violence campaign

FLINT

THE FLINT JOURNAL FIRST EDITION

Tuesday, August 16, 2005

Balloons flying from Flint porches today might have seemed a pathetically ineffectual attempt at cutting into the random violence killing off all too many of the area's youth.

But at least the balloons represent a more significant underlying project - a well-intentioned attempt at strengthening neighborhoods so people will do a better job of looking after each other, rather than just continue to accept the inconsolable loss of youthful lives.

This effort is an outgrowth of state Rep. Brenda Clack's anti-violence task force, which has been meeting through the summer. It favors such measures as neighborhood watch groups and gun buy-backs - organizational movements encouraged by today's "Get to Know Your Neighbors Day" as possible antidotes to senseless killings, with the balloons being a symbol.

The Flint Democrat is right in stressing that stronger communities are crucial. But Genesee County Prosecutor David S. Leyton hits upon a more fundamental flaw that causes violence - weak family structures and the lack of parents acting as what Leyton calls "positive role models." The pervasive failure to form intact, dedicated families through the commitment of marriage as a precursor to raising children must be judged as a major contributor to violence, if not the primary cause. Those who do not see models of restraint and respect as they are growing up at home can only be all the more challenged to learn them outside.

Of the 21 killed by homicides in Flint so far this year, surely some enjoyed strong family ties. But even so, the widespread disregard of family as the essential unit that lends strength to all of society is causing the breakdown of civility in the larger community.

As one mother of a slain youth put it: "These kids have no fear. They have no conscience."

All too commonly, those youthful victims and their killers happen not to have much family life either. Until the family unit is restored as society's guiding ideal, violence will be a frequent byproduct of its absence.

Anti-violence youth rally set at City Hall parking lot

HOMETOWN HEADLINES

FLINT

THE FLINT JOURNAL FIRST EDITION Tuesday, August 16, 2005

By Bryn Mickle bmickle@flintjournal.com • 810.766.6383

FLINT

A Stop the Violence

Youth Rally is planned for

1-6 p.m. Wednesday in the parking lot behind Flint City Hall.

Speakers and youth singers will discuss violence and ways to promote positive morals.

The rally is sponsored by New Direction Youth Program and the Ridgeway Community Family Center.

Also, a Friends of the Community Back to School Rally is set for 11 a.m. to 1 p.m. Sept. 10 at Outback

Steakhouse in Flint

Township.

Youths can pick up free school supplies and sign up for the New Direction Youth Program and the Ridgeway Community Family Center activities.

Details: (810) 877-2376

Bryn Mickle

Oakland County Briefs
Detroit News
August 16, 2005

Troy

Head Start enrollment begins

The Oakland Livingston Human Service Agency is enrolling children ages 3 to 5 in its Head Start programs from 8 a.m. to 3 p.m. weekdays. Classes will be offered at five locations: Morse Elementary in Troy; Lincoln Early Childhood Center in Royal Oak; Edison Elementary in Madison Heights; and Frost Elementary and Baldwin Head Start in Pontiac. The full-day program offers multi-age learning classrooms. To register, families should bring their child's birth certificate, immunization records and other important documents. For information about the program or enrollment, call (248) 451-7784.

Published August 16, 2005

Police arrest lawyer who owes estate \$347,000 Ex-Eaton court guardian held on contempt charge

By Kelly Hassett

Lansing State Journal

CHARLOTTE - Eaton County's former court guardian was arrested in southwest Michigan on Sunday - a month after he disappeared while owing \$347,000 to a deceased Lansing woman's family.

Charles M. Zwick, 56, of Charlotte, was arraigned Monday on a contempt of court charge in front of Eaton County Probate Court Judge Michael Skinner, said Mike Kutas, circuit and probate court administrator.

The longtime Eaton County attorney failed to attend a July 22 probate court hearing when the family of Wilma Southwell - who had Alzheimer's disease - accused him of closing several of the 92-year-old woman's bank accounts and never explaining where the money went.

He was wanted since Wednesday when Skinner signed an arrest warrant for him. Zwick, who faces up to 30 days in jail, was arrested about 2 p.m. Sunday after police in St. Joseph pulled him over for making an improper turn, Charlotte Police Detective Jim Beal said.

They discovered then that he was wanted in Eaton County.

Zwick could not be reached for comment Monday because Eaton County Jail does not accept messages for inmates. His bond was set at \$400,000 cash.

A phone call to his lawyer, John Maurer, was not returned Monday.

Zwick is the focus of a criminal investigation by Eaton County prosecutors.

"We're aware of the concerns that money is missing from accounts where he was a court-appointed guardian, conservator or attorney," Eaton County Prosecutor Jeffrey Sauter said Monday. "We will get to the bottom of it."

As court guardian, Zwick was responsible for managing the finances of more than 150 people who are unable to do so because of medical, physical or other conditions.

Skinner last week ruled that Zwick breached his fiduciary duty and ordered him to pay more than \$347,000 to Southwell's family.

But no one at the courthouse had seen or heard from Zwick since mid-July, court officials said. Philip Vilella, attorney for Southwell's family, was at Zwick's arraignment Monday but wasn't able to speak with Zwick, whom he said did not look up from the floor during the hearing.

The arrest "doesn't necessarily move us any further along, but there's still a lot going on," he said after the arraignment Monday.

No trial date was set.

What's next

- Charles M. Zwick, 56, was in Eaton County Jail on Monday night after he was arraigned on a contempt of court charge in Eaton County Probate Court. Police say Zwick - who had been missing since mid-July - was arrested Sunday in St. Joseph after local authorities pulled him over for an improper right turn.

While authorities and Eaton County's new court guardian Christine Waichunas look through Zwick's old cases, Skinner will appoint a special prosecutor to the probate court case. It was Zwick's duty as court guardian to file regular inventory reports with the court. As of June, Zwick was delinquent in filing reports on about 32 of the roughly 157 cases he handled, Kutas said.

Contact Kelly Hassett at 267-1301 or khassett@lsj.com.

Doors locked after attack

Tuesday, August 16, 2005

LaNIA COLEMAN
THE SAGINAW NEWS

Neighbors of a pair of battered Spaulding Township seniors are looking out for each other and locking doors and windows as police continue to seek leads in a weekend burglary-turned-beating.

State police from the Bridgeport Post were looking for the intruder who used a golf club to severely beat a 66-year-old man and 65-year-old woman Sunday in their home on East near Banner.

Residents, meanwhile, are pondering their own safety as the attacker roams free.

"I've shored up the windows and locked down the garage, checked for any vulnerable spots around the house," said Deborah A. Townsend, who recently moved from Burt.

"I'm taking care of everything that would make me an easy target. What else can you do?"

Police have said the couple were asleep when the burglar entered their home in the early morning hours.

The intruder's rustling awakened the wife, who startled the man, police have said. The burglar grabbed a nearby sand wedge, first striking the woman and then her husband, who rushed to her rescue.

The husband suffered head and facial injuries that will require reconstructive surgery, police said. A Covenant Medical Center spokeswoman said he was "stable" late Monday.

The burglar fled after the woman ran outside screaming, rousing neighbors.

The couple's daughter and residents criss-crossed the neighborhood all day Sunday, making sure everyone was aware of the attack, said Irene L. Stevens, a longtime friend of the victims.

CONTINUED

Doors locked after attack

Page 2 of 3

She described the vicinity as an "established" neighborhood with many older residents.

"We all watch out for each other," Stevens said, "now more than ever."

The 63-year-old Stevens said burglaries aren't unheard of in the area, but the assault is shocking.

"Why would the guy break into a house where there are three cars in the driveway?" Stevens wondered. "That makes no sense. He was obviously bent on breaking in."

"A lot of the neighbors have been talking about it, and we think he probably came in through the woods behind these houses. That's probably why he picked that house, because it sits back farther, closer to the woods. But what did he think he was going to take? He wasn't going to carry anything heavy back through the woods. The whole thing makes no sense."

Stevens had a security system installed after thieves broke into her house twice. She also has a 116-pound Labrador/retriever mix, Captain, who is trained to guard her, and he takes his job seriously. Stevens also is taking added precautions.

"I'm closing and locking my windows at night," she said. "No more fresh air. That's the kind of world we live in now."

Stevens is perhaps even more conscious of her personal safety since a recent scare.

"One night a couple of months ago, I suddenly remembered that the next day was trash day," she said. "I had to take the trash out in the dark. I saw a man walking down the road, and I paid no attention to him, but when I turned to go back to the house, he started to follow me up the driveway. But Captain spotted him and took off after him. (Captain) almost had him, too, but the guy stopped and said he wasn't going any further."

Townsend, 48, said she considered staying with her mother but discarded the idea.

Doors locked after attack

Page 3 of 3

"I thought about going to stay at my mom's for awhile, but the police might never catch the guy, and I can't stay away forever," she said.

"I hate that something like that happened to one of my neighbors, even though I don't know them. It's hideous, and the fact that (the victims) are elderly makes it worse. It shows that the guy just doesn't care."

Nancy L. Antal heard the news early Monday night.

"I'm surprised," said the 64-year-old, who has a burglar alarm. "We usually don't have that kind of trouble around here. I'll have to be more aware of what's going on, especially at night. Isn't it a shame the way you have to live nowadays?"

A tracking dog Sunday followed a trail south on M-13 and east on Banner before losing the scent near Bloomfield.

Police were to meet with the victims to put together a composite sketch of the assailant, a young black man who stands about 5 feet, 10 inches tall.

Investigators had no additional details Monday night.

Anyone with information may call police at 777-3700. v

LaNia Coleman covers law enforcement for The Saginaw News. You may reach her at 776-9690.

Brothers convicted of 2001 slaying of 71-year-old Edmore woman

Tuesday, August 16, 2005

By Nate Reens

The Grand Rapids Press

STANTON -- Ken Dyer doesn't know what brothers Aaron and Anthony Chapman were thinking that day four years ago when they savagely beat his 71-year-old mother to death in her Edmore home.

He knows they will live to regret their roles in the April 26, 2001, slaying of Kathryn Dyer, who likely surprised the Chapmans and a third man, Travis Underwood, during a burglary.

Underwood faces trial next month for his alleged part in the murder of the quiet librarian and artist.

"I know they'll never set foot outside again and be back on the streets," Ken Dyer said Monday.

"That's a good thing. It doesn't matter what was going through their heads. I'm sure they'll have time to figure it out."

In June, a Montcalm County jury convicted each of the Chapmans of felony murder and on Monday, Circuit Judge Charles Miel ordered 26-year-old Aaron Chapman and his 21-year-old brother to serve mandatory life prison sentences.

Although jurors apparently believed the brothers played differing parts in the slaying -- convicting the elder Chapman of premeditated murder and the younger of second-degree murder, which doesn't require that the killing was planned -- the punishment is the same.

Police say Dyer returned from a church service and interrupted the men as they looted her home. They beat her with a blunt object, strangled her and left her for dead -- driving away in her car, which they later burned.

Ken Dyer found his mother the morning after she was killed. Dyer found his mother lying dead next to the Bible she'd carried in from her car.

The trio of suspects went undetected by authorities for the slaying when police were stymied by little or no cooperation during their investigation. The case was solved when police and prosecutors convened a special grand jury, a tactic that compels testimony under the threat of jail.

Prosecutor Andrea Krause could not comment on the convictions, sentencings or upcoming trial because Miel imposed a gag order on case participants.

Livingston Briefs
Detroit News
August 16, 2005

Brighton

Cost hikes crimp Meals on Wheels

Livingston County Meals on Wheels organizers are reporting they are running more than \$20,000 over their \$250,000 budget for the year. Margaret Davey, nutrition director, said the agency, partially funded with federal and state monies, has been hurt because of the rising cost of fuel, food and paper products. The latter have gone up 50 percent because many disposable plates and plasticware contain petroleum. The organization provides about 850 meals daily to the elderly, homebound and ill. To contribute, call (517) 545-7198.

H.F.A. PROJECTS \$83.6 M. REVENUE INCREASE

State revenues are \$83.6 million higher than expected for the 2005-06 fiscal year that begins October 1, the House Fiscal Agency forecasted Monday.

The projection will be used at Wednesday's revenue estimating conference where the Department of Treasury, House Fiscal Agency and Senate Fiscal Agency will agree on a new revenue estimate for legislators and Governor Jennifer Granholm to use in writing the 2005-06 budget. The general and school aid funds combined will have \$83.6 million more in revenues than Treasury and the fiscal agencies estimated at their May conference, according to the House Fiscal Agency.

Officials called the special August revenue estimating meeting as revenue data pointed toward higher than expected revenues that would enable Ms. Granholm and the Republican-led Legislature, who are locked in difficult budget negotiation, to battle over fewer items.

The general fund that provides funding to universities, community colleges, regulatory enforcement, prisons and social services will have \$118.4 million more than projected in May, fueled by larger than expected Single Business Tax receipts.

But the school aid fund that pays for K-12 education will have \$34.9 million less than expected, caused by lower than expected tobacco tax and real estate transfer tax revenue.

The Senate Fiscal Agency is expected to release its revenue estimate Tuesday.

MEDICAID SPENDING: If the conference does find more money in the budget, at least some of that needs to be spent on Medicaid, the Partnership for Michigan's Health said Monday.

"If state revenue collections are higher than expected, the funds simply must be used to restore the Medicaid cuts and patch our health care safety net," said Spencer Johnson, president of the Michigan Health and Hospital Association, a member of the partnership. "Emergency rooms and physician offices statewide are caring for a rising stream of Medicaid patients at the same time funding for their care is being eviscerated. Michigan's health care system is now officially in crisis."

"Not only will additional cuts harm Medicaid patients, they will result in thousands of health care professionals in communities across the state losing their jobs," said Alan Mindlin, president of the Michigan State Medical Society. "When our state's unemployment rate is nearly highest in the nation, now is not the time to eliminate thousands of additional high-skilled, high-paying jobs."

The group noted a February study by Michigan State University's Institute for Public Policy and Social Research and the Institute for Health Care Studies that showed every \$100 million in state Medicaid cuts meant loss of \$131 million in federal funds and 6,300 jobs. The state has cut \$540 million from Medicaid over the last five years and current budget proposals include further cuts of as much as \$231 million.

Detroit News

August 16, 2005

West Bloomfield

Medical center sets family health fair

The Lakes Medical Center will play host to a family health fair from 10 a.m. to 1 p.m. Saturday. It's free for students and their parents. There also will be free hot dogs and ice cream. The medical center, at 2300 Haggerty, will offer school and sports physicals, blood pressure tests, cholesterol tests and a prostate cancer screening blood test. Doctors and other health professionals will be available to answer questions during the event.

MediLodge wants its story heard by NLRB

Web-posted Aug 16, 2005

By DIANA DILLABER MURRAY
Of The Oakland Press

A MediLodge attorney said it may be a long time before the issue regarding 210 workers terminated at its four county nursing homes is resolved.

Ninety percent of the 210 employees terminated by MediLodge on June 24 are from Pontiac and have won the support of city officials in their effort to get their jobs back. The facilities are in Bloomfield, Southfield, Rochester Hills and Royal Oak.

Service Employees International Union attorney Bruce Miller said the National Labor Relations Board notified him Friday of its decision to dismiss MediLodge's unfair labor charge against the SEIU Local 79, but would go forward with the union's charge against MediLodge.

Union leaders, who have been holding sit-ins, said in a news release Friday they were overjoyed at the decision they believe indicates they might get their jobs back with retroactive pay.

However, in a news release issued Saturday, Patricia Nemeth of Nemeth Burwell, P.C., labor counsel for MediLodge Group Inc., said it will be months or maybe even years before the issue is resolved.

"There are no immediate plans to return striking union members to work. We expect the NLRB to issue a complaint and we plan to exercise our right to have our side of the story heard by the NLRB," she said.

Nemeth said the union announced a strike at four facilities June 24 and "attempted, at the 11th hour, to cancel its strike, but many union members did not show up for their scheduled shift.

"In order to ensure uninterrupted resident care, the nursing homes terminated those employees for engaging in an unlawful strike and hired other workers to care for its residents," Nemeth said.

"All four homes are fully staffed and have suffered no problems during the strike," she said.

Union officials maintain there was never a strike. They argue the union agreed not to strike and that bargaining teams were to go back to the table June 24.

They allege MediLodge terminated all employees that weren't there at 7 a.m. June 24, even though there was no strike and even if it wasn't their shift, they were on vacation, not scheduled to work that day, ill or not notified in time.

Rudolph Williams, a 10-year employee, said at a council meeting last week that he arrived at 6:30 a.m. and busloads of replacement workers were already arriving.

Nemeth said the company, like other nursing and long-term care facilities across Michigan, is struggling to cope with a 4 percent reduction in its reimbursement from the state.

Miller, attorney for the union, said the regional office conducted an investigation and transferred the case to the national office in Washington, D.C., about three weeks ago. Last week, the union was notified that the decision was in the union's favor and that the regional NLRB would file a complaint against MediLodge that will be tried before an administrative trial judge who will determine whether the law was violated.

Proposed law aimed at protecting homeless

Tuesday, August 16, 2005

efinnerty@kalamazoo Gazette.com 388-8551

An ordinance intended to prevent discrimination against the poor and homeless in Kalamazoo was pitched Monday to the Kalamazoo City Commission.

Commissioners vowed to consider the ordinance but referred it first to the city attorney's office for review.

The purpose stated in the proposed "Kalamazoo Human Rights Act of 2005" is to broaden federal civil-rights protections "to include economic status and to specifically prevent discrimination against poor and homeless people in the city of Kalamazoo."

"I think it's really important that we take some steps to decriminalize poverty," said Tim Birch, a Western Michigan University labor leader who plans to run for City Commission this fall.

The origin of the measure that Birch and others asked commissioners to consider wasn't discussed, but a copy of it was provided to the Kalamazoo Gazette by the Michigan Organizing Project before Monday's commission meeting.

MOP has been active in organizing and advocating for poor and homeless people and is aligned with the Kalamazoo Homeless Action Network, which has staged protests against the McDonald's restaurant downtown. The network

accuses the restaurant of subjecting poor or homeless people to dining-time restrictions that are not placed on other patrons. McDonald's officials have denied those claims.

The proposed ordinance would outlaw "unreasonably short time limits" or denial of access to restrooms based on "real or perceived economic status" in places open to the public. It would prevent police from charging people with loitering, trespassing or other offenses based on economic status.

Beth A. Lewis, who has been fined for sleeping overnight in a city park, told commissioners she's seen Kalamazoo Department of Public Safety officers ticket poor people for possessing open intoxicants in Bronson Park but ignore others who bring wine to the park for Sunday picnics.

Lewis said she also has witnessed friends being harassed by officers for sitting or lying on park benches. "What ordinance is it that prohibits poor people from having a blanket in the park?" she said.

Birch and another man who declined to give his name Monday said they witnessed police harassing about a dozen poor or homeless people in Bronson Park recently, having them empty their pockets during an apparent investigation into a cell-phone theft. Birch said officers stopped their questioning and walked away when they saw him and two other men approaching.

Dan Weston, chief of the Kalamazoo Department of Public Safety, was not at Monday's commission meeting and could not immediately be reached for comment.

Commissioner Don Cooney said city officials don't condone any type of discrimination.

"Particularly, we don't want anyone discriminated against because of their economic condition," he said.

Michigan Report

August 15, 2005

MIGRANT FORUM:

The Civil Rights Commission has scheduled a press conference and forum to discuss civil rights issues facing migrant and seasonal farm workers. The event is scheduled for 4:30 p.m. August 22 at in the Trimpe Building on Knollwood Avenue on the main campus of Western Michigan University.

Detroit News

Tuesday, August 16, 2005

Letter

Right to work results in lower pay, benefits

Recently, a columnist called for consideration of making Michigan a right-to-work state ("Turning Michigan into right-to-work state promises to create more jobs than overseas trip," Aug. 12, Frank Beckmann). That's a bad idea because workers earn less, unemployment benefit levels are less, the number of uninsured workers is more and, by many other considerations, quality of life for working families is diminished in right-to-work states.

All families benefit from living in a state without right-to-work laws. Right-to-work states have a poverty rate of 12.5 percent compared with 10.2 percent in other states. The infant mortality rate is 16 percent higher in right-to-work states.

Workers in right-to-work states have a consistently lower quality of life than in other states. According to the federal Bureau of Labor Statistics, the rate of workplace death is 51 percent higher in right-to-work states, and when injured, workers compensation benefits are \$30 a week per family.

Further, the number of people who have health insurance is 21 percent higher in states that do not have right-to-work laws. Workers in states that have full union participation have higher wages, about \$5,333 a year higher, and benefit from healthier tax bases that improve their quality of life.

Of the 22 states that have enacted right-to-work legislation, 17 did so prior to 1956 and most are in agricultural states in the South and West. If right-to-work laws are so beneficial to states, why aren't there more of them? The truth is there is little benefit for working families to being in a right-to-work state.

Some of Beckmann's statistics regarding growth in income and insurance coverage in right-to-work states prove my point. Wages are currently lower and insurance coverage is now less frequent. While the growth in these areas is better, it's because those states are far behind. Why would you want the right to work for less?

Mark Gaffney

President

Michigan AFL-CIO

Lansing

Tuesday, August 16, 2005

Teens to get more sex education

Katie Oliveri
The Battle Creek Enquirer

Battle Creek's Board of Education voted unanimously to change the district's sex education curriculum in hopes of better educating students and reducing teen pregnancy.

The changes were approved Monday by a 6-0 vote with one trustee absent.

"We're at a time where we need to include some additional measures," said Board President Kim Watson. "They will help students be more informed and educated to make better decisions."

The changes will take effect at the start of this school year, Aug. 23.

And after hearing public concerns about the elective status of the health class, the board recommended that the administration come back with a process to make the health class a graduation requirement.

"I think we miss the mark if we don't make it a requirement of graduation," said William Burton, board trustee. "I think it's incumbent for us to display leadership in this area."

The district's ninth-grade health curriculum will now include an updated textbook, contraceptive and anatomy PowerPoint presentations, male and female contraceptive demonstration models and additional text and video materials on relationships and the law.

Ginny Gould, a health teacher at Central high school, spoke on behalf of Battle Creek's reproductive health advisory committee and asked the board before it voted on the curriculum to recommend that the health course become a graduation requirement.

Gould said a year ago, 90 percent of freshmen were enrolled in the course, compared with this year's projected enrollment of 50 percent of freshmen. Not making the health course a requirement would be taking "several steps back from helping tackle teen health issues," she said.

The health advisory committee spent the past year putting together the additional resources with the goal of better educating students on sexuality issues.

Susan Buckley, board trustee, agreed with Gould, saying the concern isn't the curriculum itself but whether the class should remain an elective.

Curriculum additions

Ninth-graders at Battle Creek Central High School will be offered an 18-week health class in the fall that will include six additional resources within the sex education curriculum:
New health textbook.

Female contraceptive model to demonstrate the correct application of contraceptives.
Condom demonstration model to teach correct condom use.

Two handouts called "The Twelve Steps of Bonding" and "Questions concerning STDs."

Three PowerPoint presentations: The male reproductive system, female reproductive system and methods of contraception.
The video, "Let's Get Real About Teen Sex and the Law," developed by the Oakland County Prosecutor's Office and used by the Calhoun County Prosecutor's Office.

"I think we need to take this a step further," Buckley said. "We're missing out on a huge opportunity to improve lives if we don't look at this."

Betty Kreiter, a Battle Creek resident, was at Monday's meeting and supported making the health class required for students.

"I think it's extremely important that this class be part of the curriculum," Kreiter said. "Other school systems have it and the world hasn't turned over for them. I urge you to vote yes on this and accept it."

At least for this year, the class will remain an elective.

Superintendent Charles Coleman said while the administration is committed to looking into making the class a requirement, there is no timetable on when that will happen.

"We're going to do it as quickly as we can," Coleman said. "We need to do a thorough review and put a plan in place that best fits our students. We will make it happen but I can't provide a timetable."

During the 2004-05 school year, a nine-week health course was offered to Central's ninth-graders. The course incorporated "Reducing the Risk" curriculum that focused on teaching refusal skills to students in high-risk situations involving sex, alcohol and drugs, to name a few. This year, students will be taught those same lessons but with more information about contraception in an effort to reduce teen pregnancy and sexually-transmitted diseases among teenagers living in Calhoun County.

In 2002, there were an estimated 386 pregnancies and 249 live births among 4,841 females ages 15 to 19 living in the county, one of the highest teen pregnancy rates in the state.

As mandated by state law, the district's sex education curriculum will continue to teach abstinence as the best preventative method.

Katie Oliveri covers education. She can be reached at 966-0589 or koliveri@battlecr.gannett.com.

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STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

MICHIGAN DEPARTMENT OF HUMAN SERVICES
LANSING

MARIANNE UDOW
DIRECTOR

News Release

Contact: Stepheni Schlinker or Maureen Sorbet (517) 373-7394

James Hennessey appointed director of children's services for Department of Human Services

August 16, 2005

Washington D.C.-based consultant and former Iowa human services administrator **James Hennessey** has been appointed deputy director for Children's Services with Michigan Department of Human Services.

In his new role, Hennessey will be responsible for administration of services to children and families including adoption, foster care and protective services. He begins the assignment on August 29, 2005.

"Jim Hennessey brings comprehensive knowledge and capability in children's services to Michigan," said DHS director Marianne Udow, who made the appointment. "He has considerable experience both working inside Michigan state government and in the administration of programs that serve children. He is a valuable addition to our management team."

Since 1999, Hennessey has been a vice president of Denver-based Policy Studies Inc., which provides consulting services to state governments in health, human services, and justice. Hennessey spent three years in Michigan as the contract executive for a consulting project in the DHS Office of Child Support, where his team worked with state and county leaders to strengthen the state's child support program. He performed similar duty in Connecticut, Illinois and California and was responsible for certain training and technical assistance projects with the federal Office of Child Support Enforcement. Hennessey also helped the Department of Human Services administer applications for Michigan's MICHild health care program.

For three decades prior, Hennessey worked for the Iowa Department of Human Services in a number of positions of ascending importance and responsibility. He was chief of its Bureau of Collections for 10 years, responsible for directing the Iowa child support program. He was the department's legislative liaison from 1987-88, social work administrator for 15 statewide programs from 1984-87, manager of the state's children's protective services program from 1979-84, and a regional protective services supervisor for three months in 1979. He worked for a private children's services agency as a direct care worker, social worker, and division director from 1975-1979.

Hennessey holds a bachelor's degree in sociology from the University of Northern Iowa.

For the Michigan Department of Human Services, Hennessey will be deputy director and chief administrator for its Administration on Children's Services. He will be responsible for administration and field services in the foster care, children's protective services, adoption, and community support services programs and will have administrative oversight of the independent Children's Trust Fund.

For more information go to www.michigan.gov/dhs